



U.S. Department of Justice

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Western District of New York

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PRESS RELEASE

May 9, 2005

UNION EMPLOYEE SENTENCED FOR EMBEZZLING UNION's HEALTH CARE FUNDS

RE: UNITED STATES v. LINDA COOKE

United States Attorney Michael A. Battle announced today that Linda Cooke, age 57, of 276 Moxon Drive, Greece, New York, was sentenced by the Honorable David G. Larimer, United States District Court Judge, to two years probation and five months home confinement, and fined \$6,000 in connection with her guilty plea on January 13, 2005 to theft in connection with a union's health care benefit fund, in violation of Title 18, United States Code, Section 669, which carries a maximum sentence of 10 years imprisonment, a \$250,000 fine, or both.

Assistant U.S. Attorney Richard A. Resnick, who is handled the case, stated that Cooke was, among other things, the Fund Manager of Teamsters Union Local No. 791 Health Benefits Fund (the "Fund"). The Fund collected contributions from participating employers and from former participants who self-paid their own contributions. The contributions were used to purchase group health insurance for all active and self-paying participants.

From January 1998 to December 2003, Cooke, as Fund Manager of the Fund, knowingly and willfully embezzled funds intended for contribution to the Fund. Cooke converted this money to her own use. The total amount of the funds that Cooke converted to her own use and did not pay over to the Fund was \$108,603.34.

Prior to sentencing, Cooke repaid the full amount of restitution, she reported the illegally received funds on amended federal and state tax returns, and she paid the taxes owed from her receipt of the funds.

The conviction was the culmination of an investigation by the United States Department of Labor's Boston Office of the Employee Benefits Security Administration and the Buffalo Office of the Inspector General.

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